

REMARKS

The last Office Action has been carefully considered.

It is noted that claims 1, 2, 7, 8 are rejected under 35 U.S.C. 102(b) over the patent to Arney.

Claims 2, 7 are objected to and at the same time claims 3-6 were not rejected over the art.

The Examiner's indication of the allowability of some claims have been gratefully acknowledged.

In connection with this, claims 3 and 4 have been amended to become independent, and these claims together with claim 5 are now in allowable condition.

Claim 6 has been retained as it was and it is believed that it is also in allowable condition.

Also, claim 2 has been amended in formal aspects and therefore it is believed that the Examiner's grounds to the objection to the claims should be considered as no longer tenable and should be allowed.

After carefully considering the Examiner's grounds for the rejection of the claims over the art, applicant has been amended claim 1, the broadest claim on file, so as to more clearly define the present invention from the prior art. Claim 1 specifically defines that in the inventive aircraft the plate-shaped element is pivotally connected directly with the aircraft body at one end so that the plate-shaped element can pivot about a substantially horizontal axis, while the other end of the plate-shaped element in the operative position is pivoted away from the aircraft body.

The patent to Arney has been analyzed in detail. It includes an inflatable float assembly and other carriage for aircraft. In the aircraft disclosed in the patent to Arney the ski-shaped element is attached to wheels of the aircraft and always is located in the horizontal position. In contrast, in the applicant's invention the plate-shaped element is connected only at one end directly to the aircraft and not to the wheels at one end of the body of the aircraft, while for the operative position the other end of the plate-shaped element is pivoted away from the aircraft body.

These specific features of the present invention are not disclosed in the patent to Arney.

The Examiner rejected original claim 1 over this reference as being anticipated. It is respectfully submitted that the above mentioned new features of the present invention are not disclosed in the reference. In connection with this, it is believed to be advisable to cite the decision in re Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 221 USPQ 481, 485 (Fed. Cir. 1984) in which it was stated:

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim."

Definitely, the reference does not disclose each and every element of the present invention as now defined in claim 1.

In view of the above presented remarks and amendments, it is believed that claim 1 should be considered as patentably distinguishing over the art and should be allowed.

As for the rejected dependent claims, these claims depend on claim 1, they share its presumably allowable features, and therefore it is respectfully submitted that these claims should be allowed as well.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-243-3818).

Respectfully submitted,


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